

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Robert Long,

Case No. 17-cv-0464 (WMW/SER)

Petitioner,

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

v.

United States of America,

Respondent.

This matter is before the Court on the April 12, 2017 Report and Recommendation of United States Magistrate Judge Steven E. Rau. (Dkt. 5.) Because no objections have been filed, this Court reviews the Report and Recommendation for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the Report and Recommendation, the Court finds no clear error.

Based on the Report and Recommendation and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The April 12, 2017 Report and Recommendation, (Dkt. 5), is **ADOPTED**;
2. Petitioner Robert Long's petition under 28 U.S.C. § 2241 for a writ of habeas corpus, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**;
3. Petitioner Robert Long's application to proceed in district court without prepaying fees or costs, (Dkt. 2), is **DENIED** as moot; and

4. Petitioner Robert Long's motion to appoint counsel, (Dkt. 3), is **DENIED** as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 1, 2017

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge